

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 464 be amended to read as follows:

- 1 Page 10, after line 41, begin a new paragraph and insert:
- 2 "SECTION 10. [EFFECTIVE UPON PASSAGE]: (a) **This section**
- 3 **applies to certified applications for an enterprise zone inventory**
- 4 **credit under IC 6-1.1-20.8 that were filed for property taxes due**
- 5 **and payable in 2002.**
- 6 (b) **Notwithstanding any other law, the county auditor may**
- 7 **determine that a person who filed a certified application no later**
- 8 **than thirty (30) days after the time established in IC 6-1.1-20.8-2.5**
- 9 **is eligible to receive the credit. In order to approve the application,**
- 10 **the county auditor shall make the findings set forth in subsection**
- 11 **(d).**
- 12 (c) **To apply for a determination of eligibility under this section,**
- 13 **a person must file with the auditor of the county in which the**
- 14 **person's facility is located, by no later than July 1, 2003, an**
- 15 **application for an enterprise zone inventory credit for its inventory**
- 16 **as of March 1, 2001 on a form EZ-1 prescribed by the Department**
- 17 **of Local Government Finance.**
- 18 (d) **If an application for an enterprise zone inventory credit is**
- 19 **filed by a person under subsection (c), the county auditor shall,**
- 20 **within thirty (30) days after such filing, determine whether the**
- 21 **application should be approved. The county auditor shall make the**
- 22 **following findings:**
 - 23 (1) **The person applied for the credit no later than thirty**
 - 24 (30) **days after the time established in IC 6-1.1-20.8-2.5 and**
 - 25 the **application was denied as being not timely filed.**
 - 26 (2) **The application would have been approved if it had**
 - 27 been **timely filed.**
 - 28 (3) **Local officials support the approval of the application.**
 - 29 (4) **Approval of the application will result in a significant**
 - 30 assistance **payment to the applicable local zone urban**
 - 31 enterprise **association.**

1 (5) The approval of the application will promote economic
2 development activities in the enterprise zone.
3 (e) If the auditor approves the application, the auditor shall
4 determine the amount of the credit by calculating the person's
5 property tax liability on inventory located within an enterprise
6 zone as of March 1, 2001, payable in 2002.
7 (f) Without any appropriation being required, the county
8 auditor shall issue warrants payable from the county general fund
9 to a person eligible for credit under subsection (e) in the following
10 amounts and on the following dates:
11 (1) On July 15, 2004, for an amount equal to one-half of the
12 liability calculated under subsection (e)(1).
13 (2) On January 15, 2005, for an amount equal to
14 one-half of the liability calculated under subsection
15 (e)(1).
16 (g) In addition to issuing a warrant, the county auditor may
17 choose to grant the person a credit against the person's property
18 tax liability payable in 2004 and 2005 for all or a portion of the
19 amount of the credit determined in subsection (e).
20 (h) Within thirty (30) days after receiving either the credit
21 against property tax liability under subsection (g) or each of the
22 warrants issued under subsection (f), the person shall pay an
23 amount equal to the pro-rata amount of any additional registration
24 fee under IC 4-4-6.1-2(a)(4) and the pro-rata amount of any
25 assistance payment under IC 4-4-6.1-2(b).
26 (i) This SECTION expires December 31, 2005.
27 SECTION 11. An emergency is declared for this act".
 (Reference is to SB 464 as printed February 7, 2003.)

Senator WYSS